IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE S.SIRI JAGAN

TUESDAY, THE 3RD APRIL, 2007 / 13TH CHAITHRA, 1930

WP(C).No. 11465 of 2007(M)

PETITIONER:

PULIKKANDY POTHANTAVIDA HAMEED,
S/O.HASSANKUTTY, AGED 67,
EDAKKUDIYIL HOUSE, PANOOR.P.O.,
KANNUR DISTRICT,

BY ADV. SRI.S.ABDUL SALAM
SRI.SHAIJU ANTONY

RESPONDENTS:

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1. THE UNION OF INDIA,
REPRESENTED BY THE SECRETARY,
MINISTRY OF HOME AFFAIRS, NEW DELHI.

2. THE STATE OF KERALA,
REPRESENTED BY THE CHIEF SECRETARY,
GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM.

3. THE SUPERINTENDENT OF POLICE,
KANNUR.

4. THE SUB INSPECTOR OF POLICE,
PANOOR.

R1 BY CENTRAL GOVERNMENT STANDING COUNSEL SRI.S.V.PRAMOD.
R2 TO R4 BY GOVT. PLEADER SRI.S.V.PRAMOD.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 03/04/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

S. SIRI JAGAN, J.

WP(C) NO.11465 OF 2007 - M

Dated this the 3rd day of April, 2007

J U D G M E N T

The petitioner has approached this Court since he apprehends deportation under the Citizenship Act. He submits that he is an Indian national although he had gone to Karachi in search of an avocation and was forced to obtain Pakistan passport. He submits that he has filed Ext.P1 petition under Section 9(2) of the Citizenship Act and seeks a direction to the first respondent to consider and dispose of the same expeditiously and not to deport him in the mean while.

2. I have heard learned counsel for the petitioner, the learned Assistant Solicitor General appearing for the first respondent and the learned Government Pleader appearing for respondents 2 to 4.

3. In the facts and circumstances of the case, there will be a direction to the first respondent to consider and pass appropriate orders on Ext.P1 as expeditiously as possible, at any rate within a period of two months from the date of receipt of a copy of this judgment, after affording an opportunity of

being heard to the petitioner. Till the disposal of Ext.P1 application, the petitioner shall not be deported if he satisfies the following conditions:-

The petitioner shall produce appropriate documents proving his connection with Kerala and also produce the documents like passport, visa etc. before the fourth respondent. The petitioner shall also produce two sureties for a sum of Rs.20,000/- each for ensuring the proper conduct by the petitioner while in Kerala. He shall also report to the fourth respondent once in two weeks.

The writ petition is disposed of as above.

S. SIRI JAGAN,
Judge

Mbs/

S.SIRI JAGAN, J

W.P.(C) NO. OF 2001

J U D G M E N T

DATED:13-02-2007